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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/517,127	03/02/2000	Scott E. Moore	MI22-1246	4844
21567	7590	09/08/2005	EXAMINER	
WELLS ST. JOHN P.S. 601 W. FIRST AVENUE, SUITE 1300 SPOKANE, WA 99201			ELEY, TIMOTHY V	
			ART UNIT	PAPER NUMBER
			3724	

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/517,127

Applicant(s)

MOORE ET AL.

Examiner

Timothy V. Eley

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 27-29, 31-33, 49-57, 143, 152 and 153 is/are allowed.
- 6) ☒ Claim(s) 1-5, 8, 9, 11-20, 22-26, 39, 46-48, 58-64, 67, 130, 131, 133-135, 138-142, 144 and 154-168 is/are rejected.
- 7) ☒ Claim(s) 10, 40-45 and 65 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/3/05.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

Continuation of Disposition of Claims: Claims pending in the application are 1-5,8-20,22-29,31-33,39-65,67,130,131,133-135,138-144 and 152-168.

Art Unit: 3724

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-5,8,9,11-20,22-26,39,46-48,58-64,67,130,131,133-135, 138-142,144, and 154-168 are rejected under 35 U.S.C. 102(a) as being anticipated by Yueh et al (5,791,970).

- Yueh et al discloses semiconductor processor system comprising:
inherently a process chamber adapted to process at least one semiconductor workpiece using a process fluid, a connection (containing valve 35) coupled with the process chamber and configured to receive the process fluid; a sensor(31) coupled with the connection and configured to output a signal indicative of the process fluid, a control system coupled with the sensor and configured to control at least one operation of the semiconductor processor system responsive to the signal, wherein the sensor is configured to monitor turbidity of the process fluid, since particle size distribution measurements inherently measures the accumulation of particles and thus turbidity , and

Art Unit: 3724

wherein the connection is adapted to couple with a process fluid supply and is configured to supply process fluid from the process fluid supply to the process chamber. See figure 2, and column 3, lines 5-20, and lines 38-45.

- Regarding claim 2, tank 29 is a sampling system which is configured to process fluid in a substantially static state.
- Regarding claim 3, inherently the fluid must be compared to a signature.
- Regarding claims 4 and 5, the control system is configured to control a flow rate of the process fluid into the process chamber responsive to the comparison. See column 3, lines 30-37.
- Regarding claims 8 and 9, the connection comprises a drain below 26, and the process chamber comprises a pad(column 2, line 59).
- Regarding claims 12-14 and 39, fluid which leaves the pad at 25 provides a "flush" system which flushes the drain.
- Regarding claim 15, the control system is configured to control a mixing system(see mixer 42).
- Regarding claims 61,64 and 155, valve 35 is one of several "metering" devices which are used to flow one of the components of the process fluid. The valve 35 supplies the one component of the process fluid before the other components are added in tank 30. See column 3, lines 6-8.

Art Unit: 3724

- Regarding claims 139 and 140, a recirculation system recirculates the fluid to an inherently "homogeneous" level. See column 3, lines 38-41.

Allowable Subject Matter

3. Claims 10,40-45, and 65 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
4. Claims 27-29,31-33,49-57,143,152, and 153 are allowed.

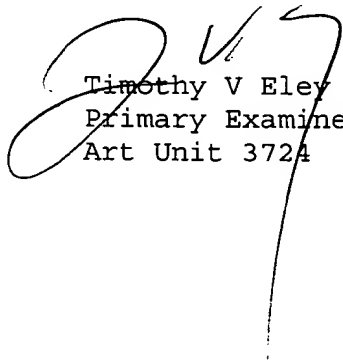
Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy V. Eley whose telephone number is 571-272-4506. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on 571-272-4514. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3724

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Timothy V Eley
Primary Examiner
Art Unit 3724

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